IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6498 of 1990

with

SPECIAL CIVIL APPLICATION No 6499, 6500,5163 5164
and 5165 of 1990
with
CIVIL APPLICATION NO.1783 OF 1991
IN
SPECIAL CIVIL APPLICATION NO.5165 OF 1990

For Approval and Signature:

Hon'ble MR.JUSTICE JAYANT PATEL

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

SAURASHTRA CEMENT & CHEMICALS INDUSTRIES LTD.

Versus

AADITYANA NAGAR PANCHAYAT

Appearance:

1. Special Civil Application No. 6498 of 1990
MR KN RAVAL for Petitioners No. 1-2
MR BH CHHATRAPATI for Petitioners No. 1-2
GOVERNMENT PLEADER for Respondents No. 1-2

2. Special Civil Application No. 6499 of 1990
MR KN RAVAL for Petitioner No. 1
..... for Respondent No. 1

CORAM : MR.JUSTICE JAYANT PATEL

Date of decision: 15/02/2002

ORAL JUDGEMENT

Mr.D.D.Vyas states that his clients have taken back the papers from him since last 5 years. However, nobody appears on his behalf. The fact remains that these matters are notified number of times and nobody has entered appearance on behalf of Adityana Nagar Panchayat I am not inclined to adjourn the matters on this ground. There is another reason that in all these matters the subject matters are the order passed by the State Government fixing lumpsum contribution. On account of no interim relief being granted by this court except making note of making imports of the materials etc, the orders for fixing lumpsum contribution have lived life. By afflux of time that period is also over. Not only that the octroi is now abolished. Under these circumstances I am of the view that no useful purpose would be served in deciding the questions involved in these matters since all these matters have become infructuous by afflux of time. Under these circumstances all these matters are disposed of as having become infructuous. Rule in each petition is discharged with no order as to costs.

Since SCA No.5165/90 is disposed of as having become infructuous Civil Application No.1783/91 is rejected. Interim relief granted earlier stands vacated. Liberty to apply in case of difficulty is granted.

15.2.2002 (JAYANT PATEL,J)